

in these Cases, as humbly conce<sup>d</sup>, there should be the greatest Care taken to discountenance and silence such Reports, and to put a stop to them in the first Instance. But, on the other Hand, if any Persons were really injured by the Gov<sup>rs</sup> acting contrary to his Instructions, or by his obstructing the due and legal Course of Business, the Subject ought to meet with Encouragement and Relief. But in order to do this, and to distinguish properly between those who have been oppressed, and those who act from factious Principles, all Complaints should be originally lodged at the Plantation Office, where the Records from the Plantations are supposed to center. And this seems to have been the Intention of Lord Sommers in [20] his Plan of a Board of Commerce, and of the Crown in making all the principal Officers of State extra Members of the said Board.

The preferring of Petitions of Complaint to His Majesty in Council, or to the King by the Hands of the Secretary of State, and afterwards referring them to the Plantation Office, may in many Cases have an ill Effect, as it is apprehended, that the R<sup>t</sup> Hon<sup>bl</sup> the Lords for Trade and Plantation, are thereby in a great Measure limited with respect to their Report: As they have not, (and as humbly conce<sup>d</sup> cannot upon those Occasions) reported upon any Matter that is not within such References. But in the other Course of Proceeding, as their Lordships would judge by the Records, they would be able to distinguish properly between Complaints which arise from Oppression, [21] and those which arise from factious Principles.

By a Statute of 38<sup>th</sup> Edward the 3<sup>d</sup>, Chapt. the 9<sup>th</sup>, it is enacted, that whosoever made Complaints to the King, and could not prove them against the Defendant, should be imprisoned, until he satisfied the Damages and the Slander suffered upon such Occasions, and after make Fine and Ransom to the King. There is likewise a Statute of the 11<sup>th</sup> and 12<sup>th</sup> W<sup>m</sup> the 3<sup>d</sup> for the Punishment of bad Conduct in His Majesty's Gov<sup>rs</sup> which wants much to be explained. The first-mentioned Statute cannot now be put in force, because such Matters were originally determinable before the King in Council, or before the Star Chamber. But these Acts, if renewed